

CHAPTER 4 FARMERS' MARKETS AND FISH WHARFS

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400 FARMERS' MARKETS

- 400.1 The following sidewalks and parking spaces are designated as farmers' street markets, and may be used by farmers for the temporary display and sale of farm products in accordance with the applicable provisions of this chapter:
- (a) That portion of the sidewalk on the north side of O Street, N.W., between Seventh and Eighth Streets, N.W., and that portion of the sidewalk on the west side of Seventh Street, N.W., between O and P Streets, N.W., adjacent to the market house owned by the Northern Market Company;
 - (b) That portion of the sidewalk and parking space on the northside of K Street, N.W., between Fourth and Fifth Streets, N.W., and that portion of the sidewalk on the east side of Fifth Street, N.W., between K and L Streets, N.W., adjacent to the market house known as "New Center Market" (formerly Convention Hall Market);
 - (c) That portion of the sidewalk and northeast corner of Lot 824 in Square 2551, which is a square that is bordered by the south side of Columbia Road between Belmont Road, N.W., and 18th Street, N.W., and the west side of 18th Street, N.W., between Columbia Road and Belmont Road, N.W., adjacent to the Perpetual American Federal Savings and Loan Association; Provided, that prior written consent of the owner of the property has been obtained for the display and sale of farm products; and
 - (d) That portion of the sidewalk and parking space on the west side of Wisconsin Avenue, N.W., that extends southward from Grace Street, N.W., for fifty feet (50 ft.), adjacent to Lot 811 in Square 1188.
- 400.2 Spaces on each of the sidewalks and parking spaces listed in §400.1 for display and sale of farm produce by farmers shall be laid off and numbered in accordance with plats that shall have been submitted to, and approved by, the Department of Consumer and Regulatory Affairs.
- 400.3 Spaces for display and sale of farm produce shall be not more than eight feet (8 ft.) long and not more than four feet (4 ft.) wide.

- 400.4 Farm products may be displayed for sale on temporary removable stands not more than four feet (4 ft.) high on each of the numbered spaces.
- 400.5 All stands shall be removed from the spaces when not in use.
- 400.6 Farm products may be displayed and sold at the farmers' markets between the hours of 6:00 a.m. and 3:00 p.m. daily. On Saturdays and days before holidays, the time may extend until 8:30 p.m.
- 400.7 No owner of any market house, or any other person, shall rent or lease to any person, either directly or indirectly, or occupy for gain, any public sidewalk, parking space, or other public space adjacent to any of the listed market houses, except as provided in this chapter.

AUTHORITY: Unless otherwise noted, the authority for this chapter is §1 of the Commissioner's Order No. 273,040/128, effective May 10, 1932; §412 of the District of Columbia Self-Government and Governmental Reorganization Act, as amended, 87 Stat. 790, Pub. L. No. 93-198, D.C. Code §1-227(a) (1992 Repl. Vol.).

SOURCE: Article 5, §§1(a) & (b), 2(a), (b), & (d) of the Police Regulations (May 1981); as amended by §2 of the Police Regulations Amendment Act of 1981, D.C. Law 4-65, 28 DCR 5038 (November 27, 1981).

401 MARKET SPACE FEES

- 401.1 The Director of the D.C. Department of Consumer and Regulatory Affairs, the Director's designee, or some other person designated by the owners of the farmers' market houses for that purpose, may collect forty cents (40¢) from each farmer for each of the spaces the farmer occupies each day.
- 401.2 At the time of making each collection of forty cents (40¢), each farmer from whom the collection is made shall receive a printed and numbered ticket receipt for the amount collected.
- 401.3 The printed and numbered ticket receipts shall be furnished by the District of Columbia, in space lots of one hundred (100) or multiples of one hundred (100), through the Department of Consumer and Regulatory Affairs, upon payment of fifteen cents (15¢) for each ticket receipt.
- 401.4 The Director shall issue receipts in writing for all moneys received from the sale of ticket receipts, and shall deposit all moneys on the day received with the D.C. Treasurer.
- 401.5 The twenty-five cent (25¢) difference between the price of fifteen cents (15¢) paid to the District and the amount of forty cents (40¢) collected from each farmer may be retained by the respective owners of the market houses as full compensation for cleaning all sidewalks, parking space, and other public space adjacent to their respective market houses, and for the use of electric lights when required, where farmers occupy space for the sale of products.
- 401.6 No owner of any market house named in §400, or any other person, shall collect from any farmer, or other person, any money whatsoever in addition to the sum of forty cents (40¢) for the occupancy of the spaces named, except as provided in this section.

- 401.7 The owners of any market house, or any person designated by them, may furnish trays, trestles, and other equipment to the occupants of any of the spaces provided for the sale of farm products, and may provide storage for those materials when not in use.
- 401.8 For all service or equipment furnished, the owners may collect from each occupant, separate and above the occupancy fee of forty cents (40¢) per space, one of the following:
- (a) A sum not exceeding twenty-five cents (25¢) for each weekday; and
 - (b) A sum not exceeding forty cents (40¢) for each Saturday, or day preceding a holiday, when the time is extended to 8:30 p.m.

SOURCE: Article 5, §§2(c) & (d) of the Police Regulations (May 1981).

402 - 404 [RESERVED]

405 MUNICIPAL FISH WHARF AND MARKET

- 405.1 This section provides for the control, regulation, and operation of the municipal fish wharf and market located at the water frontage on the Potomac River lying south of Maine Avenue, between Eleventh and Twelfth Streets, S.W., including the buildings and wharves on that frontage.
- 405.2 No person shall drink, transfer possession of, or dispense in any manner any alcoholic beverages except within the portions of the market building occupied by tenants having a license to sell or dispense these beverages.
- 405.3 No person shall engage in any disorderly or boisterous conduct, or loaf at or on the premises of fish wharf and market, or fish or go in bathing from the wharf.
- 405.4 No person shall throw paper, rubbish, trash, or refuse of any kind on the wharves, walks, roadways, or other market premises, or in the street fronting the same.
- 405.5 All paper, rubbish, trash, or refuse shall be placed in receptacles and removed by tenants to a space set aside for that purpose.
- 405.6 Each tenant shall keep his or her place of business in a clean and sanitary condition.
- 405.7 The Director of Consumer and Regulatory Affairs, or the Director's designee, shall have authority to direct the parking and arrangement of all vehicles on the market premises; and all persons in charge of vehicles on the market premises shall conform to all directions given by the Director.

- 405.8 No person shall park any vehicle on the market premises, except while transacting legitimate business at the market or wharves.
- 405.9 No person shall solicit sales or orders for any commodity being sold from any boat or other vessel, except at the wharf at which the boat or vessel is docked.
- 405.10 No owner, operator, or other person in charge of, or employed in connection with, any boat or other water craft shall sell or offer for sale from any boat or other water craft anchored at the fish wharf, any fish, oysters, or other sea food unless the sea food has been transported to the wharf on the boat from which it is sold or offered for sale, or unless it has been purchased from a person other than the person who caught it.
- 405.11 No person shall sell from any boat anchored at the fish wharf any watermelons or other farm products unless the watermelons or other farm products have been transported to the wharf for or purchased from the producer of the products.
- 405.12 No person shall engage in shucking oysters for the public until he or she has been given a permit and identification badge by the market master.
- 405.13 An oyster shucking permit may be revoked at any time.
- 405.14 No person shall ply his or her trade of shucking oysters for the public except on the portion of the market premises designated for this purpose by the Director.
- 405.15 No person shall dock any boat or other water craft at the municipal fish wharf and market without a permit issued by the Director; except boats carrying cargoes of fish, oysters, or other seafood products, or watermelons or other farm products. Issuance of a permit shall be based on a finding that the dockage applied for will not interfere with the dockage of boats carrying cargoes of fish, oysters, or other seafood products.
- 405.16 A non-cargo dockage permit may be issued for not more than four (4) consecutive days in any one (1) calendar month; and then only upon the condition that, should the dockage space be required by any boat carrying cargoes of fish, oysters, or other seafood products, the person to whom the permit has been issued shall immediately remove his or her boat from the dock upon the request of the Director.
- 405.17 The fees for non-cargo dockage permits shall be the following:
- (a) For boats not more than fifty feet (50 ft.) in length, one dollar (\$1) per day;
 - (b) For boats fifty-one feet (51 ft.) to one hundred feet (100 ft.) in length, two dollars (\$2) per day; and
 - (c) For boats over one hundred feet (100 ft.) in length, five dollars (\$5) per day.

SOURCE: Article 5, §§3, 4, & 5 of the Police Regulations (May 1981).